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*Counsel for the Official Committee of Equity Security Holders of  
USA Capital First Trust Deed Fund, LLC*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re: ) BK-S-06-10725-LBR  
USA COMMERCIAL MORTGAGE COMPANY ) Chapter 11  
Debtor. )

In re: ) BK-S-06-10726-LBR  
USA CAPITAL REALTY ADVISORS, LLC, ) Chapter 11  
Debtor. )

In re: ) BK-S-06-10727-LBR  
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC, ) Chapter 11  
Debtor. )

In re: ) BK-S-06-10728-LBR  
USA CAPITAL FIRST TRUST DEED FUND, LLC, ) Chapter 11  
Debtor. )

In re: ) BK-S-06-10729-LBR  
USA SECURITIES, LLC, ) Chapter 11  
Debtor. )

Affects )  
☐ All Debtors )  
☒ USA Commercial Mortgage Co. )  
☐ USA Securities, LLC )  
☐ USA Capital Realty Advisors, LLC )  
☐ USA Capital Diversified Trust Deed ) Date: September 28, 2007  
☒ USA First Trust Deed Fund, LLC ) Time: 1:30 a.m.

**STIPULATION RE ALLOWANCE OF INFORMAL PROOF OF CLAIM AND  
WITHDRAWAL OF DUPLICATE CLAIM**

1 The Official Committee of Equity Security Holders of USA Capital First Trust  
 2 Deed Fund, LLC (the "FTDF Committee), on behalf of USA Capital First Trust Deed Fund,  
 3 LLC ("FTDF"), hereby stipulates with The Labossiere Family Trust Dated 3/20/1987, Gerard  
 4 and Lucille Labossiere Trustees ("Claimant") as follows:

5  
 6 1. On or about September 25, 2007, Claimant filed Proof of Claim Nos.  
 7 10725-00219 (the "Original Claim") and 10725-02464 (the "Duplicate Claim") against USA  
 8 Commercial Mortgage Company ("USACM"), each claiming the amount of \$1,500.

9  
 10 2. Both the Original Claim and Duplicate Claim (the "Claims") were filed  
 11 in the USACM case.

12  
 13 3. The basis for the Original Claim appears to be related to a former  
 14 investment by Claimant in USA Capital First Trust Deed Fund, LLC (the "FTDF").

15  
 16 4. Due to the relatively minimal amount of the Original Claim, the FTDF  
 17 has resolved to request the allowance of the Original Claim as an informal proof of claim  
 18 against the FTDF estate.

19  
 20 5. On August 28, 2007, the FTDF Committee filed a "Proposed Allowance  
 21 of Informal Proof of Claim and Objection to Duplicate Claim" (the "Objection") [Docket No.  
 22 4647], requesting that: (1) the Original Claim be allowed against the FTDF estate; and (2) that  
 23 the Duplicate Claim be disallowed in its entirety.

24  
 25 6. The FTDF Committee has agreed to allow the Original Claim against  
 26 the FTDF estate in the amount of \$1,500.

27  
 28 7. Claimant has agreed to withdraw the Duplicate Claim with prejudice.

WHEREFORE, based on the stipulation set forth above, the parties hereby

1 agree, and request that the Court approve this stipulation as an order of the Court pursuant to  
2 Fed. R. Bankr. P. 3006, as follows:

- 3 1. The Original Claim, no. 10725-00219, is hereby allowed against the  
4 FTDF estate in the amount of \$1,500.
- 5 2. The Duplicate Claim, no. 10725-02464, is hereby withdrawn with  
6 prejudice.  
7

8  
9 DATED this 12 day of September, 2007.

10 SHEA & CARLYON, LTD.

11 

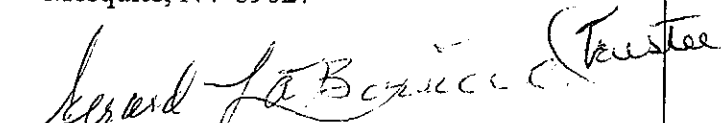

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27 *Deed Fund, LLC*

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THE LABOSSIERE FAMILY TRUST  
635 Jessica Dr.  
Mesquite, NV 89027

 (Trustee)  
 (Trustee)